

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400



05-17-06  
AF  
1 Feb 2186  
PATENT APPLICATION  
ATTORNEY DOCKET NO. 10016615-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Leith Johnson

Confirmation No.: 8105

Application No.: 10/017,371

Examiner: Sheng Jen Tsai

Filing Date: 12/7/2001

Group Art Unit: 2186

Title: Virtualized Resources in a Partitionable Server

05/19/2006 BABRAHA1 00000044 082025 10017371  
01 FC:1806 180.00 DA

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97 (b), or  
(Within three months of filing national application; or date of entry of national application; or before mailing date of first action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97 (c), together with either a:  
☐ Statement under 37 CFR 1.97 (e), or  
☐ a \$180 fee under 37 CFR 1.17 (p), or  
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- ☒ under 37 CFR 1.97 (d), together with either a:  
☒ Statement under 37 CFR 1.97 (e) (1) or (2), and  
☒ a \$180 fee set forth in 37 CFR 1.17 (p),  
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$ 180.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

Applicant(s) submit herewith form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

- ☒ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an english language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed.

It is requested that the information disclosed herein be made of record in this application.

Express Mail Label No.: EV 860509129 US

Date of Deposit: May 16, 2006

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450

Typed Name: Robin A. Matachun

Signature: 

Respectfully submitted,

Leith Johnson

By 

Robert Plotkin, Esq.

Attorney/Agent for Applicant(s)

Reg No.: 43,861

Date: May 16, 2006

Telephone: 978-318-9914



HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10016615-1

Inventor(s): Leith Johnson

Confirmation No.: 8105

Application No.: 10/017,371

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Title: Virtualized Resources in a Partitionable Server

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**TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT**

Transmitted herewith is/are the following in the above-identified application:

- ☐ Response/Amendment  
☒ New fee as calculated below  
☐ No additional fee  
☒ Other Information Disclosure Statement

- ☐ Petition to extend time to respond  
☐ Supplemental Declaration

Fee\$ 180

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 0
OTHER FEES						\$ 180
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 180

Charge \$ 180 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Express Mail Label No.: EV 860509129 US

Date of Deposit: May 16, 2006

Typed Name: Robin A. Matachun

Signature:

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450

Respectfully submitted,

Leith Johnson

By

Robert Plotkin, Esq.

Attorney/Agent for Applicant(s)

Reg No. : 43,861

Date : May 16, 2006

Telephone : 978-318-9914



ATTORNEY'S DOCKET NO: H0000-1002


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Leith Johnson  
Serial No: 10/017,371  
Filed: 12/07/2001  
For: Virtualized Resources in a Partitionable Server

Examiner: Sheng Jen Tasi  
Art Unit: 2186

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

The undersigned hereby certifies that the correspondence listed above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR § 1.10, postage prepaid, Express Mailing Label No. EV 860509129 US, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 16, 2006.

  
Robin A. Matachun

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR

§§1.56, 1.97, AND 1.98

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97, and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

☐ A. This Information Disclosure Statement has been filed  
(check all that apply):

- ☐ (1) within three months of the filing date of a  
National Application;
- ☐ (2) within three months of the filing date of the  
entry of the National Stage, as set forth in 37  
C.F.R. § 1.491, in an International Application;
- ☐ (3) before the mailing of a first Office Action on  
the merits in the above-referenced matter.

No certification or fee is required.

☐ B. This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311.:

☐ (1) The fee required by 37 C.F.R. § 1.17(p) is enclosed.

☐ (2) Applicant hereby states, as specified in 37 C.F.R. § 1.97(e), that (check one of the following):

☐ (a) each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement. No fee is required.

☐ (b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Statement. No fee is required.

☒ C. This Information Disclosure Statement has been filed after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 and is being filed on or before payment of an Issue Fee.

☒ (1) The Applicant hereby states, as specified in 37 C.F.R. §1.97(e), that (check one of the following):

☒ (a) each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

☐ (b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Statement.

(2) The fee required by 37 C.F.R. § 1.17(p) is enclosed.

PART I: Information Cited

☒ A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-SB08. The order of presentation of the references should not be construed as an indication of the importance of the references.

☐ B. The Applicant hereby makes the following additional information of record in the above-identified application:

☒ PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

An English language abstract is attached of the US counterpart of French Patent FR 2 767 939 B1.

PART IV: Remarks

A copy of each of the documents cited above, except for U.S. patents and patent application publications, is enclosed. Applicant respectfully requests that:

A. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

B. The enclosed form PTO-SB08 be signed by the Examiner to evidence that the cited information has been fully considered by the Examiner during the examination of the application; and

C. The citations for the information be printed on any patent which issues from this application.



CONCLUSIONS

If this paper is not considered timely filed and if a request for extension of time is otherwise absent, applicant hereby requests any extension of time. Please charge any fees or make any credits, to Deposit Account No. 50/1797.

Respectfully submitted,



Robert Plotkin, Esq.

Reg. No. 43,861

May 16, 2006

Date

Robert Plotkin, P.C.  
91 Main Street, Suite 204  
Concord, MA 01742-2527  
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Fax: (978) 318-9060



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	10/017,371
Filing Date	12/7/2001
First Named Inventor	Leith Johnson
Art Unit	2186
Examiner Name	Sheng Jen Tsai
Attorney Docket Number	10016615-1

Sheet \_\_\_\_\_ of \_\_\_\_\_

## U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
		FR 2 767 939 B1	3/5/99	Bull SA	
		EP 0 593 874 A2	4/27/94	International..	
		EP 03 01 275 A2	2/1/89	International..	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*